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10 ~~Attorneys for Defendant~~  
11 MERCK & CO., INC.

12 07 AUG 23  
13 CLERK U.S. DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA  
15 BY [initials]  
16

17 UNITED STATES DISTRICT COURT  
18 CENTRAL DISTRICT OF CALIFORNIA

19 CARRIE SMITH, et al.,

20 CASE NO.: CV07-4655-R(CWx)

21 Plaintiffs,

22 [REDACTED] ORDER GRANTING  
23 MOTION TO STAY PROCEEDINGS

24 VS.

25 MERCK & CO., INC. and McKESSON  
26 CORPORATION,

27 Defendants.

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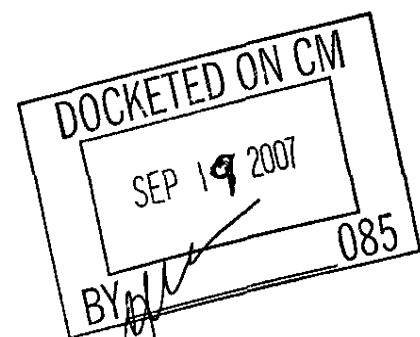
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#23

1 The Court has considered and reviewed the motion of Defendant Merck & Co.,  
2 Inc. for an order staying this action pending transfer to *In re Fosamax Prods. Liab.*  
3 *Litig.*, MDL No.1789 For the reasons set forth therein, and good cause appearing,

4 IT IS HEREBY ORDERED that all proceedings in this action are stayed pending  
5 transfer of the action to MDL Proceeding No. 1789, *In re Fosamax Products Liability*  
6 *Litigation*, in the Southern District of New York, or until further order of this Court.

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8 DATED: Sept. 14, 2007

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11 UNITED STATES DISTRICT JUDGE

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VENABLE LLP  
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1 PROOF OF SERVICE  
2

3 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES  
4

5 I am employed in the County of Los Angeles, State of California. I am over the age of  
6 18 and not a party to the within action; my business address is 2049 Century Park East,  
7 #2100, Los Angeles, California 90067.

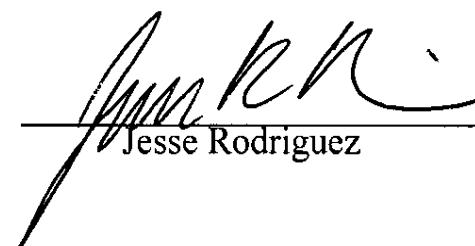
8 On August 23, 2007, I served the foregoing document(s) described as [PROPOSED]  
9 **ORDER GRANTING MOTION TO STAY PROCEEDINGS** on the interested  
10 parties in this action addressed as follows:

11 SEE ATTACHED SERVICE LIST  
12

13  By placing true copies thereof enclosed in a sealed envelope(s) addressed as  
14 stated above.  
15  **BY PERSONAL SERVICE (CCP §1011):** I delivered such envelope(s)  
16 by hand to the addressee(s) as stated above.  
17  **BY MAIL (CCP §1013(a)&(b)):** I am readily familiar with the firm's  
18 practice of collection and processing correspondence for mailing with the  
19 U.S. Postal Service. Under that practice such envelope(s) is deposited with  
20 the U.S. postal service on the same day this declaration was executed, with  
21 postage thereon fully prepaid at 2049 Century Park East, #2100 Los  
22 Angeles, California, in the ordinary course of business.  
23  **BY OVERNIGHT DELIVERY (CCP §1013(c)&(d)):** I am readily  
24 familiar with the firm's practice of collection and processing items for  
25 delivery with Overnight Delivery. Under that practice such envelope(s) is  
26 deposited at a facility regularly maintained by Overnight Delivery or  
27 delivered to an authorized courier or driver authorized by Overnight  
28 Delivery to receive such envelope(s), on the same day this declaration was  
executed, with delivery fees fully provided for at 2049 Century Park East,  
#2100 Los Angeles, California, in the ordinary course of business.

29 Executed on August 23, 2007, at Los Angeles, California  
30

31  **(STATE)** I declare under penalty of perjury under the laws of the State of  
32 California that the above is true and correct.  
33  **(FEDERAL)** I declare that I am employed in the office of a member of the Bar  
34 of this Court at whose direction the service was made. I declare under penalty of  
35 perjury under the laws of the United States of America that the above is true and  
36 correct.

37   
38 Jesse Rodriguez  
39

**ATTACHED SERVICE LIST**

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